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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,418	03/17/2004	Arben Kryeziu	1780.002US1	3864

21186 7590 10/05/2007
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EXAMINER

JEAN, FRANTZ B

ART UNIT	PAPER NUMBER
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2154

MAIL DATE	DELIVERY MODE
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10/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/802,418

Applicant(s)

KRYEZU ARBEN

Examiner

Frantz B. Jean

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/17/04, 8/26/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This is a first office action in response to application for patent filed on 03/17/04. Claims 1-20 are presented for examination.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 03/17/04 and 0826/05 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Shapiro
US PUB NO. 2006/0242275.

As per claim 1, Shapiro teaches a method to process media data, comprising: receiving a request for media data from a requestor (par 0063; 0077); compressing the media data with a custom pixel resolution based on a connection rate of the requestor (0126);

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and streaming portions of a media player and the compressed media data to the requestor at the connection rate (par 0076-0077, 0142)

As per claim 2, Shapiro teaches a method of claim 1 wherein the compressing further includes receiving the custom pixel resolution from the requestor in response to a query issued to the requester (0142, 019, 0126).

As per claim 4, Shapiro teaches a method of claim 1 wherein the compressing further includes decreasing the custom pixel resolution when the connection rate is lower than a threshold (par 0077, 0126, 019, 0206).

As per claim 5, Shapiro teaches a method of claim 1 wherein the compressing further includes increasing the custom pixel resolution when the connection rate is higher than a threshold (par 0077, 0126, 019, 0206).

As per claim 6, Shapiro teaches a method of claim 1 further comprising encrypting the compressed media data before streaming to the requestor (par 0008, 0128, 0208).

As per claim 7, Shapiro teaches a method of claim 6 wherein the encrypting further includes permitting only the portions of the media player which is streamed with the compressed and encrypted media data to know the decryption

algorithm necessary to play the media data for the requester (0117, 0128, 0208).

As per claim 8, Shapiro teaches a media data server, comprising: a data store having media data (0077); a media player (0077); and a streaming application to stream portions of the media data (0117) from the data store to a requester in a compressed format along with portions of the media player, if the requestor does not have the media player, and wherein the portions of the compressed media data are altered to achieve a custom pixel resolution based on a connection rate associated with the requester (par 0077, 0126, 019, 0206).

As per claim 9, Shapiro teaches a media data server of claim 8 wherein the compressed media data is also encrypted and the portions of the media player include the decryption algorithm necessary to decrypt the portions of the media data (par 0008, 0128, 0208).

As per claim 10, Shapiro teaches a media data server of claim 8 wherein the media data server interacts with the requestor to determine the connection rate (par 0076-0077, 0142)

As per claim 11, Shapiro teaches a media data server of claim 8 wherein the media data is stored in a single format and is not duplicated within the data store (0175, 0198).

As per claim 13, Shapiro teaches a media data server of claim 8 wherein the portions of the compressed media data is also encrypted and the encryption technique is customized to correspond with specific instances of the media player (par 0008, 0128, 0208).

As per claim 14, Shapiro teaches a media data server of claim 8 wherein the media data natively resides within the data store in a compressed format (0175, 0198).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shapiro in view of Huntington US patent No. 6,970,937 B1.

As per claims 3, 12, Shapiro teaches all the limitations of the claim as stated above. However, Shapiro fails to teach live broadcast. Huntington teaches this limitation. (see abstract). It would have been obvious to one of ordinary skill in the art to combine Huntington live broadcast to Shapiro for real-time information transfer. One skill artisan at the time of the invention would be motivated to do so to deliver live information to a

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wide range of long distance customers unable to attend an event, thereby facilitating information access.

As per claims 15-20, they contain the same limitations as discussed in claims 1-14 above. Therefore, they are rejected under the same rationale.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Frantz Jean


FRANTZ B. JEAN
PRIMARY EXAMINER